

DISTRICT OF MASS

Prose  
Robert Pinyan  
258 Central St  
Saugus Mass 01906  
760905

FILED  
IN CLERK'S OFFICE

CASE 0510393 GAO

FEB 23 A 10:32

NOTICE OF Default

I Robert Pinyan Prose ASK THIS  
COURT TO GRANT MY LAW SUITE  
THE TOWN OF SAUGUS IS IN DEFAULT  
AGAIN THEY DID NOT ANSWER THE  
COURT'S DEFAULT ORDER GIVEN 11  
OCT/28/2005 THEY HAD 11 DAYS  
FROM THAT DATE TO SEND TO THIS COURT.  
IT HAS BEEN 4 MONTHS SINCE THAT

DEFAULT ORDER SO I ASK THIS  
COURT TO GRANT MY LAW SUITE  
BECAUSE THE TOWN OF SAUGUS IS IN DEFAULT  
AGAINST THIS COURT HAS ALL MY  
EVIDENCE IN THIS CASE <sup>THEY THE TOWN</sup>  
OF SAUGUS IS WAY OUT OF TIME IN THIS CASE  
THANK YOU  
Prose MR. Robert Pinyan

2/23/06

0510393 GA

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ROBERT PINGARO

Plaintiff

CIVIL ACTION

NO. 05-10393-GAO

V.

TOWN OF SAUGUS

Defendant

NOTICE OF DEFAULT

Upon application of the Plaintiff, ROBERT PINGARO for an order of Default for failure of the Defendant, TOWN OF SAUGUS, to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendant has been defaulted this 28 day of OCTOBER, 2005.

SARAH A. THORNTON  
CLERK OF COURT

PAUL S. LYNESS

By: \_\_\_\_\_

Deputy Clerk

Notice mailed to:

(9)

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

ROBERT PINGARO

Plaintiff

v.

CIVIL ACTION NO. 05-10393-GAO

TOWN OF SAUGUS

Defendant

**STANDING ORDER REGARDING  
MOTIONS FOR DEFAULT JUDGMENT**

O'TOOLE , D.J.

A Notice of Default has been issued to the above named defendant(s) upon request of the plaintiff(s) in the above entitled action.

In anticipation of a Motion for Entry of Default Judgment being filed, counsel are advised of the following requirements for submission of such motion in order to ensure compliance with Rule 55 of the Federal Rules of Civil Procedure:

1. A party making a motion for default judgment shall comply with all the requirements of Fed. R. Civ. P. 55 particularly those related to filing of affidavits. The moving party shall also submit an appropriate form of default judgment in the fashion of the draft order attached hereto as Appendix A. Such compliance shall be completed no later than 14 days after the filing of the motion itself;
2. Within the 14-day period for compliance by the moving party, the party against whom default judgment is sought shall have an opportunity to file substantiated opposition to the default judgment motion and to request a hearing thereon;
3. The Court will take up the motion for default judgment on the papers at the conclusion of the 14 day period. Should the motion for default judgment at that time fail to comply with Fed. R. Civ. P. 55, the motion will be denied with prejudice to any renewal of such motion within six months of the denial. Any renewed motion for default judgment may not include a request for interest, costs or attorneys' fees in the matter nor will such relief be granted on any renewed motion for default;

[procodftjgm.]

(5)

4. Necessary and appropriate action with respect to this Standing ORDER shall be taken by the moving party within 30 days of the date of the issuance of this ORDER. If for any reason the moving party cannot take necessary and appropriate action, that party shall file an affidavit describing the status of this case and show good cause why necessary and appropriate action with respect to this Standing ORDER cannot be taken in a timely fashion and further why this case should remain on the docket. Failure to comply with this paragraph will result in the entry of dismissal of the moving party's claims for want of prosecution.

By the Court,

PAUL S. LYNESS

\_\_\_\_\_  
Deputy Clerk

OCTOBER 28, 2005

Dated: \_\_\_\_\_

Appendix A

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Robert Pignaro

Plaintiff(s)

v.

CIVIL ACTION NO. 05-10393-GAO

Town of Sagus

Defendant(s)

FORM OF  
DEFAULT JUDGMENT

O'Toole, D.J.

Defendant Town of Sagus having failed to plead or otherwise defend in this action and its default having been entered,

Now, upon application of plaintiff and affidavits demonstrating that defendant owes plaintiff the sum of \$ 5,000,000.00 that defendant is not an infant or incompetent person or in the military service of the United States, and that plaintiff has incurred costs in the sum of \$ 75,000.00.

It is hereby ORDERED, ADJUDGED AND DECREED that plaintiff recover from defendant Town of Sagus the principal amount of \$ 5,000,000.00, with costs in the amount of \$ 75,000.00 and prejudgment interest at the rate of 5 % from 1995 to 2005 in the amount of \$ 31,758.00 for a total judgment of \$ 5,106,758.00 with interest as provided by law.

By the Court,

Dated: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

NOTE: The post judgment interest rate effective this date is \_\_\_\_%.